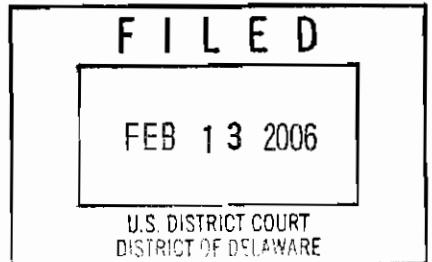


MR. JEFFERY ALONZO SIMMS
(PLAINTIFF)

CIVIL ACTION CASE. 04-941-SLR
AND CASE : 04-1205-SLR
DATED FEBRUARY 9-2006

MR. DAN BURGER ATTORNEY GENERAL
MR. RALPH K. DURSTEIN DEPARTMENT OF JUSTICE
820. N. FRENCH STREET
WILMINGTON, DELAWARE 19801



FEDERAL CODE
7 B 38

MOTION FEDERAL CIVIL PROCEDURE
APPEARANCE §§ 6, 13, 18-19, 21-22, 24, 30, 34, 39, 53.

1.a) IN THE HONORABLE COURT, PLEASE BE ADVISED IN THE MOTION HEREOF
IN THE UNITED STATES DISTRICT COURT, TO THE HONORABLE JUUDGE SUE
L. ROBINSON AND TO THE HONORABLE CLERK PETER T. DALLOO,
MR. SIMMS COMES TO THE COURT ON FEBRUARY 9-2006 WITH THE FEDERAL CIVIL
PROCEDURE IN THE ABOVE CAPTION CASE, IN RESPONDS, THE FEBRUARY 16-2006;
COURT DATE IN THE UNITED STATES DISTRICT COURT OF WILMINGTON DELAWARE
19801-3570 MAY IT PLEASE THE COURT THE PLAINTIFF HAVE A
EFFECTIVE FILING DATE AND REQUEST APPEARANCE IN THE ABOVE MOTION
CIVIL ACTION; MONTGOMERY V. FINCHAK, 294 F. 3d 492(3d CIR.2002)
GINEST V. BOARD OF COUNTY COM,RS. OF CARBON COUNTY? , 333 F.
SUPP. 2d 1190 (D. WYO. 2004)

2.b) HERE ATTACH THE CERTIFICATE OF SERVICE ON THE AFFIX DATED
APPEARANCE MOTION AND THE ACKNOWLEDGMENT HEREOF

2.b) HERE ATTACH THE CERTIFICATE OF SERVICE ON THE AFFIX DATED
APPEARANCE MOTION AND ITS ACKNOWLEDGMENT HEREOF.

MOVANT, MR. JEFFERY A. SIMMS S.B.I. 198625
DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD
SNYRNA DELAWARE 19977

CIVIL ACTION CASE:04-941-SLR AND
CIVIL ACTION 04-1205-SLR

CERTIFICATE

OF

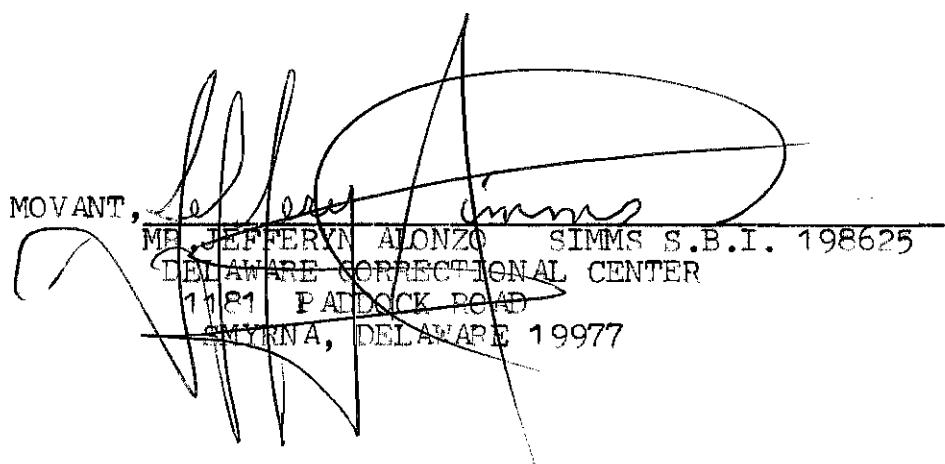
SERVICE

I, JEFFERY A. SIMMS, HEREBY CERTIFY ON FEBRUARY 9-2006 HAVE SENT TRUE COPIES TO ALL PARTIES ON THE AFFIX DATE HERETO AND NAMES HEREOF : THREW UNITED STATES POSTAL SERVICE.

THE DEFENDANTS ATTORNEY
MR. RALPH K. DURSTEIN
DEPARTMENT OF JUSTICE 6th FLOOR
820 N. FRENCH STREET
WILMINGTON, DELAWARE 19801

THE ATTORNEY GENERAL
DAN BURGER
DEPARTMENT OF JUSTICE
820 N. FRENCH STREET
WILMINGTON, DELAWARE 19801

HONORABLE JUDGE SUE L. ROBINSON
THE UNITED STATES DISTRICT COURT
WILMINGTON DELAWARE
LOCK BOX 18 844 KING STREET
WILMINGTON DELAWARE 19801-3570
(CLERK MR. PETER T. DALLOO OF
THE UNITED STATES DISTRICT COURT
OF WILMINGTON DELAWARE 19801 35-70

MOVANT,

MR. JEFFERY ALONZO SIMMS S.B.I. 198625
DELAWARE CORRECTIONAL CENTER
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SMYRNA, DELAWARE 19977



JM Jeffrey Sims
SER# 198625 UNIT D-A-3 East
DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD
SMYRNA, DELAWARE 19977

Respectfully submitted,
Jeffrey Sims
Office of the Clerk
United States District Court
844 N. King Street Post Box 18
Wilmington Delaware
19801-3570

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